



**STATE OF MAINE
SUPREME JUDICIAL COURT
SITTING AS THE LAW COURT**

NOTICE OF INVITATION TO FILE AMICUS BRIEFS

**Law Court invites amicus briefs
regarding the application of firearms prohibitions
to a person who is an “unlawful user of”
or “addicted to” marijuana**

The Maine Supreme Judicial Court, sitting as the Law Court, invites briefs of amici curiae in the appeal of *State of Maine v. Richard A. Tonini*, Law Court docket number Han-19-245, on the following three issues:

1. Can a person who possesses marijuana be determined to be “an unlawful user of or . . . addicted to any controlled substance” within the meaning of the firearms possession prohibition in 15 M.R.S. § 393(1)(G) (2018)?
2. What effect, if any, does an acquittal on a charge of furnishing a scheduled drug have on the State’s ability to establish that the defendant was prohibited from possessing a firearm pursuant to section 393(1)(G)?
3. What is the test for evaluating the constitutionality of section 393 in light of the United States Supreme Court’s decisions in *District of Columbia v. Heller*, 554 U.S. 570 (2008), and *McDonald v. City of Chicago*, 561 U.S. 742 (2010)?

The parties' briefs and the appendix are available on the Court's website at www.courts.maine.gov/quick/tonini.

An amicus brief, which may not exceed ten pages (exclusive of the required tables, signature block, and certificate of service on the parties) may be filed by or on behalf of any individual, entity, or group of individuals and/or entities without separate leave of the Court. Any amicus brief must be filed on or before **December 2, 2019**. An amicus brief must be filed at the address listed below and must comply with M.R. App. P. 7A. In addition to filing and serving the required number of copies, any amicus must send a copy of the brief electronically, as a single "native" or text-based .pdf file, to lawcourt.clerk@courts.maine.gov.

Dated: November 1, 2019

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